

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD LOWE,

Plaintiff,

v.

Case No. 13-10058

PRISON HEALTH SERVICE,
DR. EDELMAN AND SUSAN
MCCAULEY,

HON. TERRENCE G. BERG
HON. LAURIE J. MICHELSON

Defendants.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION (DKT. 47) AND GRANTING DEFENDANT
MCCAULEY'S MOTION FOR SUMMARY JUDGMENT (DKT. 19)**

This matter is before the Court on Magistrate Judge Laurie J. Michelson's December 31, 2013 Report and Recommendation (Dkt. 47), recommending that Defendant Susan McCauley's motion for summary judgment (Dkt. 19) be granted, and that all claims against her be dismissed.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). Plaintiff moved for an additional 60 days to file objections (Dkt. 49). The Court found this request to be excessive, but did grant Plaintiff an additional 21 days to file objections – until February 7, 2014. As of this date, Plaintiff has not filed any objections, and the time to do so has now expired.

The district court will make a “*de novo*” determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge’s Report and Recommendation of December 31, 2013, as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Michelson’s Report and Recommendation of December 31, 2013, (Dkt. 47) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant Susan McCauley’s motion for summary judgment (Dkt. 19) is **GRANTED**, and that all claims against her are **DISMISSED WITH PREJUDICE**.

SO ORDERED.

Dated: February 14, 2014

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on February 14, 2014, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager